

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 04017.00066

First Inventor Nathaniel S. Fox

Title Apparatus and Method for Building Support Piers From One or Successive Lifts Formed in a Soil Matrix

Express Mail Label No. EV 306396565 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Commissioner for Patents  
Mail Stop Patent Application  
P.O. Box 1450  
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 38]  
(preferred arrangement set forth below)  
- Descriptive title of the Invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table,  
or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 11]  
☐ Formal ☒ Informal
5. Oath or Declaration [Total Sheets 2]  
a. ☒ Newly executed (original or copy)  
b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)  
i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a. ☐ Computer Readable Form (CRF)  
b. Specification Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies); or  
ii. ☐ paper  
c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. 3.73(b) Statement ☐ Power of  
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17. ☒ Other: Certificate of Mailing by Express Mail

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_

Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

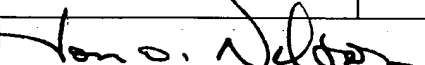
## 19. CORRESPONDENCE ADDRESS

☒ Customer Number:

22908

or ☒ Correspondence address below

|         |   |           |              |          |              |
|---------|---|-----------|--------------|----------|--------------|
| Name    | Jon O. Nelson<br>Banner & Witcoff, Ltd. |           |              |          |              |
| Address | Ten South Wacker Drive                  |           |              |          |              |
| City    | Chicago                                 | State     | IL           | Zip Code | 60606        |
| Country | US                                      | Telephone | 312.463.5000 | Fax      | 312.463.5001 |

|                   |   |                                   |                  |
|-------------------|---|-----------------------------------|------------------|
| Name (Print/Type) | Jon O. Nelson   | Registration No. (Attorney/Agent) | 24,566           |
| Signature         |  | Date                              | December 5, 2003 |

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 3663**Complete if Known**

|                      |                  |
|----------------------|------------------|
| Application Number   |                  |
| Filing Date          | Decemer 5, 2003  |
| First Named Inventor | Nathaniel S. Fox |
| Examiner Name        |                  |
| Art Unit             |                  |
| Attorney Docket No.  | 04017.00066      |

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order
☒ Deposit Account:Deposit  
Account  
Number

19-0733

Deposit  
Account  
Name

Banner &amp; Witcoff, LTD.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity        |          | Small Entity |          | Fee Description        | Fee Paid        |
|---------------------|----------|--------------|----------|------------------------|-----------------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |                        |                 |
| 1001                | 770      | 2001         | 385      | Utility filing fee     | 385             |
| 1002                | 340      | 2002         | 170      | Design filing fee      |                 |
| 1003                | 530      | 2003         | 265      | Plant filing fee       |                 |
| 1004                | 770      | 2004         | 385      | Reissue filing fee     |                 |
| 1005                | 160      | 2005         | 80       | Provisional filing fee |                 |
| <b>SUBTOTAL (1)</b> |          |              |          |                        | <b>(\$)</b> 385 |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

|                    |    |        |   |    |   |     |   |      |
|--------------------|----|--------|---|----|---|-----|---|------|
| Total Claims       | 59 | -20 ** | = | 39 | X | 9   | = | 351  |
| Independent Claims | 7  | -3 **  | = | 4  | X | 43  | = | 172  |
| Multiple Dependent | 19 |        |   |    | X | 145 | = | 2755 |

| Large Entity        |          | Small Entity |          | Fee Description  | Fee Paid         |
|---------------------|----------|--------------|----------|--|------------------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |  |                  |
| 1202                | 18       | 2202         | 9        | Claims in excess of 20                                     |                  |
| 1201                | 86       | 2201         | 43       | Independent claims in excess of 3                          |                  |
| 1203                | 290      | 2203         | 145      | Multiple dependent claim, if not paid                      |                  |
| 1204                | 86       | 2204         | 43       | ** Reissue independent claims over original patent         |                  |
| 1205                | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |                  |
| <b>SUBTOTAL (2)</b> |          |              |          |  | <b>(\$)</b> 3278 |

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for reexamination                                     |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252         | 420      | 2252         | 210      | Extension for reply within second month                                    |          |
| 1253         | 950      | 2253         | 475      | Extension for reply within third month                                     |          |
| 1254         | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |          |
| 1255         | 2,010    | 2255         | 1,005    | Extension for reply within fifth month                                     |          |
| 1401         | 330      | 2401         | 165      | Notice of Appeal   |          |
| 1402         | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |          |
| 1403         | 290      | 2403         | 145      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453         | 1,330    | 2453         | 665      | Petition to revive - unintentional   |          |
| 1501         | 1,330    | 2501         | 665      | Utility issue fee (or reissue)   |          |
| 1502         | 480      | 2502         | 240      | Design issue fee   |          |
| 1503         | 640      | 2503         | 320      | Plant issue fee  |          |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner  |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17 (q)                                       |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 770      | 2809         | 385      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810         | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801         | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$)

**SUBMITTED BY****Complete (if applicable)**

|                   |               |                                   |                  |           |              |
|-------------------|---------------|-----------------------------------|------------------|-----------|--------------|
| Name (Print/Type) | Jon O. Nelson | Registration No. (Attorney/Agent) | 24,566           | Telephone | 312.463.5000 |
| Signature         |               | Date                              | December 5, 2003 |           |              |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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120503

10711 U.S. PTO

**CERTIFICATE OF MAILING BY EXPRESS MAIL**  
**(PATENT APPLICATION)**

Express Mail No. EV 306396565 US

Deposited: December 5, 2003

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 

(person actually depositing)

In the Application of: Nathaniel S. Fox

Title:           Apparatus and Method for Building Support Piers From One  
                    Or Successive Lifts Formed in a Soil Matrix

Attorney Docket No. 04017.00066

- X   Utility Patent Application Transmittal (1 page)
- X   Fee Transmittal for FY 2004 (1 page; in duplicate)
- X   Specification (38 pages, total of 59 claims, Abstract)
- X   Eleven (11) Sheets of Informal Drawings
- X   Applicant Data Sheet (3 pages)
- X   Declaration and Power of Attorney, 2 pages, executed
- X   Return Receipt Postcard

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